

State of New York
County of Warren
Town of Bolton

Special Meeting December 22, 2008

Supervisor Simmes called the meeting to order at 7:00 p.m.

All members present including Counsel. There is no minute taker present.

Supervisor Simmes: This meeting was called as a result of a request from the Kingsleys. I have always believed that the taxpayers pay the bills and have a right to be heard. I will begin by explaining that since the last contractor meeting we have made changes to the Zoning Enforcement Officer's job description. She is not to notify other agencies concerning violations. She can let the landowner know that other agencies might require review. Also, she was directed to inform the Zoning Administrator first of all possible violations. The ZA will review the file and determine action, if none is required then the file will show Pam's decision. If there is a violation proper procedure will be followed. Two recent issues regarding possible violations were started long before our recent meeting and they were part of her job description at that time. The ZEO and ZA both have jobs to do and their current job description changes should result in a more user friendly office, but people have to understand that if they are not following the code and it is a legitimate violation we as a board will stand behind that office.

Comments from the public

Comments from the public came from Rick Kudlack, Don Russell, Claire & Don Kingsley, and an employee of Kingsley Construction who all spoke about what they perceive to be malicious and vindictive acts caused by the Zoning Enforcement Officer, Mitzi Nittmann.

Buddy Foy and Chris Navitsky spoke with no negative comments.

Supervisor Simmes that we have been working on updating the job descriptions for both the Zoning Administrator and the Zoning Enforcement Officer and copies will be available to the public when completed.

Mr. Ronning addressed the board. He has an approved 23 lot subdivision. Planning Board approval required a Homeowner's Association. They sent the short form to the Attorney General and the Attorney General advised him to withdraw his application rather than have them reject the application.

Mr. Ronning withdrew the application. Mr. Ronning talked with our Highway Superintendent and he is willing to take over the road and stormwater devices.

Mr. Simon, attorney for Mr. Ronning said that Attorney General's office had a problem with Mr. Ronning financial situation and was also concerned with an open issue with the APA and with two lots where construction waste was to be removed, which is under DEC supervision. The offering plan was submitted under CPS7 and they wanted the full offering plan.

Dominick Gilbert spoke on behalf of Mr. Ronning. He can help Mr. Ronning with funding.

Ann Marie Somma spoke with her concerns regarding the discharge pipe that will directly place water on her property. She feels that her property will be impacted by this pipe during a huge storm

Christ Navitsky questioned if the Town taking over the road would change the Planning Board's conditions of approval. As long as it was a homeowner's association there was to be no salt on the road. That stipulation will be null and void if the Town takes over the road. He also spoke about changes to the subdivision if a cemetery or ball field was built up there.

Buddy Foy spoke that he feels that the Town should take over the road for the Saddlebrook subdivision.

Rob Somma had requested an agreement concerning the discharge pipe that would cause water on his property and there is no agreement yet.

Counsel: Yes, the Town can accept as a town road. We would have to accept all obligations on the Homeowner's Association maintenance program. You would have to accept lock, stock and barrel. You will be taking over the road, stormwater and issues with the Somma property. This is a residential subdivision that was approved by the Planning Board. There can be no ultimate answer tonight because it would still have to go back to the Planning Board for an amendment. A yes vote would also open up the project to a possible Article 78.

RESOLUTION #

Councilmember Rehm moved seconded by Supervisor Simmes to deny the request of Rolf Ronning to have the Town of Bolton to take over the road in Saddlebrook subdivision. Councilman Saris nay, Councilman Maranhville, Councilman MacEwan nay. Motion did not carry.

RESOLUTION#

Councilman Saris moved seconded by Councilmember Rehm to grant 80 hours unused vacation time. All Favorable. Motion Carried.

Councilmember Rehm moved, seconded by Councilman Saris to adjourn at 10:40 p.m.